

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAWRENCE R. MOYER,

Plaintiff,

No. CIV S-03-1350 FCD DAD P

vs.

JAMES E. TILTON, et al.,

Defendants.

ORDER

On March 26, 2009, the court ordered both parties to file status reports. On July 7, 2009, defense counsel filed a status report that indicated that the parties had briefly discussed the possibility of a settlement in this case. Defense counsel further indicated that a settlement conference may be helpful in the near future and that the case may be amenable to mediation.

Good cause appearing, the court will not issue a scheduling order at this time. Rather, the court will direct the parties to confer and file a stipulation indicating whether they desire that a settlement conference be set before the undersigned or before a randomly-assigned magistrate judge. Alternatively, if the parties determine they do not wish that a settlement conference be set, the court directs the parties to confer and file a stipulation proposing dates to be included in the court's scheduling order, including deadlines for discovery and dispositive motions.

1 Accordingly, IT IS HEREBY ORDERED that within forty-five days of the date of
2 this order the parties shall either:

3 a. file a stipulation indicating whether they are interested in a settlement
4 conference before the undersigned or before a randomly-assigned magistrate judge; or

5 b. file a stipulation proposing dates for a scheduling order, including deadlines
6 for discovery and dispositive motions.

7 DATED: July 14, 2009.

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11 DALE A. DROZD
12 UNITED STATES MAGISTRATE JUDGE

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